

REMARKS/ARGUMENTS

The rejection presented in the Office Action dated September 10, 2007 (hereinafter Office Action) has been considered but is believed to be improper. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Applicant respectfully traverses the § 103(a) rejection based upon the teachings of U.S. Publication No. 2003/0103484 by Oommen *et al.* (hereinafter "Oommen") as combined with those of U.S. Patent No. 5,948,055 to Pulsipher *et al.* (hereinafter "Pulsipher") because the cited references alone, or in combination, do not teach or suggest each of the claimed limitations. Since it is acknowledged at page three of the Office Action that Oommen does not teach at least determining at least one data element in a management server or determining priority data of a sub object, as claimed, Oommen must also fail to teach the additional limitations involving such data element and priority information. For example, Oommen has not been shown to teach attaching a data element to a management tree maintained by a management server as claimed in independent Claims 1, 5, 8 and 12. The cited portions of Oommen make no mention of attaching a data element, and relied-upon paragraph [0037] specifically discusses the management tree of a mobile node (asserted as corresponding to the claimed customer device). Further, Oommen has not been shown to teach deassembling a document in a customer device (asserted mobile node) using the priority data as claimed in independent Claims 1, 5, and 10. Again the cited portions of Oommen do not discuss priority information of sub objects received from a management server and instead indicate in paragraph [0038] that a mobile node is configurable independent of a network and the network manager. As Oommen is solely relied upon as teaching these limitations, and admittedly fails to do so, any combination of the asserted teachings must fail to correspond to the each of the claimed limitations. Without a presentation of correspondence to each of the claimed limitations, the rejection is improper.

Moreover, contrary to the assertion at page three, Pulsipher does not teach or suggest the claim limitations directed to at least a data element comprising priority data of a sub object in relation to other sub objects and instead appears to be unrelated to the claimed

invention. Pulsipher is directed to Internet monitoring and a distributed object model to represent devices and interconnections of a network which can be used to display various conceptual views of the network at a management station (*see, e.g.*, Fig. 7). The “objects” discussed in the cited portions of Pulsipher are network elements or collections of network elements, such as a computer, a router, a repeater, and a bridge (column 7, line 67 – column 8, line 2). Pulsipher makes no reference to device management trees or management objects, as claimed. Notably, the term “tree” is absent from the Pulsipher document. As the relied-upon portions of Pulsipher fail to correspond to the claimed limitations, including teaching determining at least one data element as claimed, and Oommen admittedly does not correspond to such limitations, the asserted combination of references fails to at least teach or suggest the claim limitations directed to a data element and priority of a sub object. Without a presentation of correspondence to each of the claimed limitations, the rejection is improper. Applicant accordingly requests that the rejection be withdrawn.

Dependent Claims 2-4, 6, 7, 9, 11 and 13 depend from independent Claims 1, 5, 8, 10 and 12, respectively. Each of these dependent claims also stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the above-discussed combination of Oommen and Pulsipher. While Applicant does not acquiesce to any particular rejections to these dependent claims, including any assertions concerning descriptive material, obvious design choice and/or what may be otherwise well-known in the art, these rejections are moot in view of the remarks made in connection with the independent claims. These dependent claims include all of the limitations of their respective base claims and any intervening claims and recite additional features which further distinguish these claims from the cited references. “If an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious.” MPEP § 2143.03; *citing In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Therefore, dependent Claims 2-4, 6, 7, 9, 11 and 13 are also patentable over the asserted combination of Oommen and Pulsipher.

In addition, the § 103(a) rejection is traversed because the requisite reasoning supported by a rational underpinning has not been articulated to support the asserted conclusion of obviousness. No evidence or explanation has been provided as to how or

why a skilled artisan would use Pulsipher's internet network topology management techniques to prioritize device management sub objects in a management tree. Rather, Pulsipher is directed to an internet monitoring system that has not been shown to be applicable to Oommen's use of management trees in single-device management. Without a presentation of reasoning based on a rational underpinning, the asserted combination of teachings is unsupported and the rejection is improper. Applicant accordingly requests that the rejection be withdrawn.

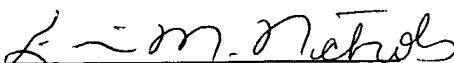
Applicant has also amended the independent claims to more explicitly characterize that the management object data is for managing configuration of the management customer device, that the management customer device updates or forms the management tree in accordance with the data element, and that content of the document is stored in the management customer device. Support for these changes may be found in the instant Specification, for example, at paragraphs [0002], [0013], and [0027] and in Figs. 4 (steps 408-412) and 5 (steps 508-512); therefore, these changes do not introduce new matter. Each of these claims is believed to be patentable over the cited references for the reasons set forth above and because the asserted references do not teach at least storing the content of the document in a customer device in accordance with the management tree.

Authorization is given to charge Deposit Account No. 50-3581 (KOLS.064PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

HOLLINGSWORTH & FUNK, LLC
8009 34th Avenue South, Suite 125
Minneapolis, MN 55425
952.854.2700

Date: December 10, 2007

By: 

Erin M. Nichols
Reg. No. 57,125